

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UMAR ALLI

Write the full name of each plaintiff.

No. \_\_\_\_\_

(To be filled out by Clerk's Office)

-against-  
EDMUNDS, ET., AL  
STERLING, ET., AL

**COMPLAINT**

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

SEE ATTACHED TWO PAGES

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

42 U.S.C 1983

18 U.S.C 241

18 U.S.C 242

42 U.S.C 1985

42 U.S.C 1986

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.



RECEIVED  
SDNY PRO SE OFFICE  
2024 APR -9 09:11:13

**I. LEGAL BASIS FOR CLAIM**

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: \_\_\_\_\_

**II. PLAINTIFF INFORMATION**

Each plaintiff must provide the following information. Attach additional pages if necessary.

<u>UMAR</u>	<u>ALLI</u>	
First Name	Middle Initial	Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

22 B2174

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

GREAT MEADOW C of

Current Place of Detention

P.O. BOX 51

Institutional Address

<u>Comstock</u>	<u>NEW YORK</u>	<u>12821</u>
County, City	State	Zip Code

**III. PRISONER STATUS**

Indicate below whether you are a prisoner or other confined person:

☒ Pretrial detainee At All times RELEVANT HERETO

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner At this instance

☐ Other: \_\_\_\_\_

IV. DEFENDANT INFORMATION *SEE COVER PAGES*

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 2:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 3:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 4:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

**V. STATEMENT OF CLAIM**

Place(s) of occurrence: New York City's Department of Corrections, Rikers Island  
G.R.U.C facility.

Date(s) of occurrence: April 15 2021, April 23 2021, May 1 2021

**FACTS:**

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

SEE Attached (7) PAGES

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK x

PAGE 1 of 2

UMAR ALLI  
DEFENDANT

VS.

EDMUND #10909

42 U.S.C 1983

WRIGHT #6486

42 U.S.C 1985

BROWN #1699

42 U.S.C 1986

MORALES #14587

18 U.S.C 241

D. BROWN #1689

18 U.S.C 242

MORALES #14587

PROVIDENCE #11248

JURY TRAIL

LITTLES #2331

DEMANDED

RICKETTS #9789

ROBINSON #5182

CIVIL RIGHTS ACT

LEVY #18582

MARIANO #17993

STERLING #5574

PRO SE PLAINTIFF

SIMMS #9256

DAVIS #14464

NIHAL #8082

DEPUTY WARDEN CARTER #94

DEPUTY WARDEN HARRIS #1325

CAPTAIN MOODIE #593

CAPTAIN RUIZ #475

CAPTAIN ALLEYNE #574

JOHN DOE MEDICAL Doctors of Both

APR 15 2021 USE'S OF FORCE,

PAGE 2 OF 2

DEFENDANTS CONT'D

JOHN DOE MEDICAL DOCTORS OF  
APRIL 23 2021 & MAY 1<sup>st</sup> 2021,  
ACTING WARDEN JEAN BENE,  
INVESTIGATOR WEINBRECHT #832  
INVESTIGATOR DJANOVIC  
INVESTIGATOR COOPER #441  
INVESTIGATOR AUSTRIE #35  
INVESTIGATOR SEGOVIA  
INVESTIGATOR SUKUMARAN #874  
CAPTAIN MOLINA #1165  
City of NEW YORK  
John DOE GRUC Main yard-2  
John DOE GRUC REC Officer-B  
John DOE GRUC REC Officer-A  
John DOE GRUC-CAP-CMC-MAX A  
FORMER Chief JENNINGS,

DEFENDANTS -

## STATEMENT OF CLAIM

- (1) Each defendant herein is being sued in their individual and official capacity for acting under color of state law and violating rules, rights and statutes that govern their position, and that are available to a pre-trial detainee and a citizen of the United States. Defendants' conduct explained further herein were violations, condoned, and/or conspired upon willfully and recklessly with evil intent.
- (2) Plaintiff hereby asserts causes of action for the violation of the Rules, Rights and Privileges secured by departmental rules, and secured by the Constitution.
- (3) As a Pro Se litigant, Plaintiff's complaint should be construed liberally to raise the strongest arguments. Wherefore, Plaintiff raises and gives force to any and all applicable cause of action, claim, and federal claim that may be inferred from the complaint. Including, but not limited to, The fourteenth Amendment, fifth Amendment, Eighth Amendment, Denial of Adequate medical care, \*spoliation of evidence, Conspiracy of all acts complained of including yet not limited to spoliation of evidence, murder and/or attempt murder and assault, first Amendment violations, fourth Amendment violations, Sixth Amendment violations, spoliation of medical records and spoliation of incident video by intentionally mutilating and altering video. Nunez Federal mandate remedial order violations and monell claims for the long standing tolerated, condoned, participated upon policies and/or customs written or unwritten that was deeply embedded and implemented law. That the policy making defendants and the City of New York had knowledge of yet failed to cease the acts from continuing.

EPIC fail

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- (4) Defendants Captain Ruiz, Captain Alleyne, Deputy warden Carter, Deputy warden Harris, Acting warden Jean Rene, Investigator WEINBRECHT, INVESTIGATOR DJANOVIC, INVESTIGATOR Cooper, INVESTIGATOR AUSTRIE, INVESTIGATOR SUKUMARAN, FORMER CHIEF JENNINGS And City of New York are collectively referred hereto as Policy Making defendants
- (5) Defendants Wright, MORALES, PROVIDENCE, LITERS, Ricketts, Levy, Mariano, Sterling, SIMMS, Davis, Nidel, Robinson are collectively known herein as April 15 conspirators.
- (6) In response to plaintiff being a litigator whom filed ample grievances, In response to being a 9south detainee and in response to a use of force that occurred on or about April 13 2021 while at A.M.K.C's Rikers Island Plaintiff was retaliated against in violation of the first Amendment.

On April 15<sup>th</sup> 2021 Plaintiff was a victim of a pervasive Practice of Setting inmates up to be conspired upon by other inmates in houses that they controlled. Then was jumped by inmates whom names he doesn't know and whom he wishes not to pursue any remedies against or identify nor has he. On April 15 2021 Before entering G.R.V.C Housing Area 5A Deputy Carter Deputy Harris And security officers that escorted discussed how they conspired with Former Chief Jennings in this long standing Plot to allow Problematic detainees to be assaulted at they request Chief Jennings Captain Ruiz and Captain Alleyne conspired these plans among them selves and Deputy Carter, Deputy Harris

(2) of 7



And G.R.U.C Staff. This Conspiracy and Retaliation was brought upon in violation of 42 U.S.C 1985, 42 USC 1986 and the first amendment. for plaintiff exercising his freedom of speech in form of grievances, his religious belief and former assaults imposed upon him in which they attempted to Sexual assault and or Kill and or seriously harm Plaintiff. And Plaintiff Complained of such.

- (7) Upon entering SA housing area, I had 4 large Plastic bags filled with Property said bags were Secured in Cell 33 On the top left tier of 5A
- (8) At around 5:30 PM multiple inmates attempted to Jump Plaintiff as plaintiff was being Jumped Officer edmunds conspired with Policy making defendants and inmates and intentionally with evil intent maliciously sprayed Plaintiff while he was not Combative or assaultive and did not warrant the use of Chemical agents in violation of the NYC DOC Chemical agents directive.
- (9) Officer edmunds sprayed Plaintiff twice in the facial area with a Prolong dosage and Stated they "Should've Killed you" and "You Cant fight the whole house if you Cant SEE" Despite this being fact the Video Provided by NYC DOC Policy making defendants and the City Law Department was intentionally with, malicious intent to avoid Prosecution and damage Claim, Malice altered and only displays one burst of Chemical agents. Yet Officer edmunds prior attorney agreed during Prior disposition his existence of knowledge that Plaintiff was sprayed twice.

- (10) Plaintiff then walked onto the vestibule and began taunting his OPPenets by laughing and dancing threw the Pain commenting that the whole house was soft and couldn't beat me even if they jumped me.
- (11) Officer Edmunds is then seen talking and conspiring with the same inmates whom he was seen conspiring with when ~~At~~ initially entered the housing area and they discussed the plans to assault. At this later moment he was conspiring to allow inmates enter cell 33 where KLI's belongings were held and allow them to steal all items of material worth.
- (12) While on the vestibule John Doe Operators in Possession of the following facility Body Cameras as follows GRUC Main yard 2 GRUC-REC-OFICR-B, GRUC-REC-C, and G.R.U.C-CAP-CMC-MAX-A SEE Exhibit A" video Task form. Each John Doe Officer spoke of in Form of knowledge in the existence of the Conspiracy and retaliation and made aiding comments and death threats. Affirming that they would let the inmates out to the vestibule to further assault Plaintiff and how they should've killed me and other harsh comments despite
- (13) Said truth and Policy making defendants knowing the facts after viewing the facility body cameras defendants J-cooper and Policy making defendants intentional trumped up and altered said videos with spoliation intention to hid their aiding and abetting in this monell claim and retaliation and conspiracy. They all aided in deleting the seconds in which the worst things were said.
- (14.) Officer Edmunds in attempt to further the assault walked onto the vestibule without properly securing the Gates thus creating a further

risk.

- (15) When exiting the housing area officer edmund in agreement with his housing area inmates entered the 5A building Control bubble and from the electric Panel in the bubble buzzed Plaintiffs Prior Cell while multiple inmates stood in front of Cell awaiting to steal Property. Multiple inmates then entered and stole Property.
- (16) Despite this being a fact Policy making defendants and defendant J. Cooper intentionally with malicious intent of spoliation of evidence withheld the Camera footage Gen Tec of the Top Tiers see exhibit A.
- (17) Detainees stole approximately \$350<sup>00</sup> Dollars worth of food plaintiff saved for Ramadan fast, also stolen was Personal Pictures of deceased loved ones and Children Photographs, Personal clothing, sneakers, religious items and hygiene Products.
- (18) While on the vestibule the John Doe facility Body Camera operators whom stood directly in front of Plaintiff behind the vestibule gate taunted Mr. ALI as Priority stated for about two and a half hours, Only the GRUC Jane Doe CMC Max Captain walked away and turned off her body camera due to the harshness of John Doe Officers words yet these other operators had the body cameras on the entire time whereas there should not be any gaps in the recordings. Except as for the malicious intent of policy making defendants as stated.
- (19) After two and a half hours a Probe team finally responded despite the NYO DOC Directive and facility Command level operation Orders. Plaintiff was then taken to Seg intake for decontamination and was then taken to the mini-clinic in which he requested to see a different doctor due to knowledge said doctor aids and abets with D.O.C Staff in falsify

- (20) Plaintiff was then taken to a different housing area in G.R.U.C in which was 7A at approximately 8:10<sup>PM</sup> Upon entering housing area I was jumped by the Probe team in front of cell 22.
- (21) Despite their being a camera directly above 22 cell in which had a closer view of the incident Policy making defendants intentionally withheld this camera angle with spoliation of evidence tactics.
- (22) While on the floor officers used the hoovering tactic and Monell policy in which multiple officer hover over a detainee while other officers use force unnecessary in hope to block the camera from seeing. Also the "Behind the Back" Tactic/Policy was used in which is long standing and deeply embedded in DOC Policy this is when the operator of a DOC hand held camera fails to obtain a visual of the detainee while he's being assaulted.
- (23) At the instance discussed herein the April 15 conspirators then pulled his hair while on floor and choked him with there fingers around his adams apple and also sneakily delivered closed fist blows to his body and facial area. Then at one point officer cut or attempted to cut Mr ALI with a unknown object then shouted he has a weapon in which he did not and may have been the object they used to cut him at this point or in the cell.
- (24) Officers then placed Mr. ALI on the gurney and then rolled him out the housing area and led him in the 7 building vestibule. At this moment the April 15 conspirators whispered death threats and stated that's why we cut you and place they bulging penis in my face.

- (25) Despite these Actions being recorded on the hand held video Camera Policy making defendants intentionally Altered the video and blanked out the Portions of the video in which captured the above stated in the attempt to Spoilation of evidence.
- (26) Plaintiff was on the vestibule for Approximately Ten(10) Minutes then rolled back in the housing area without being offered medical attention in violation of the Nunez agreement despite having visible Injuns.
- (27) Then the same assaultors Placed Alli in Cell 22 and began to Sexually assault him and tried to cut him again then lefted out the area after ALI attempted to make it out the Cell to obtain medical attention.
- (28) Plaintiff Constantly requested medical attention and was denied
- (29) MR. ALI filed multiple grievances and 311 Calls in which are also Considered grievances in accordance to the N.Y.C DOC grievance Directive
- (30) Taking it Easy Just want the SCO that I Requested and this Can all be over Please and thank you.
- MR. ALI Gambino Ginemo Tyrone massey Peter Rodriguez  
 All have been a victim of these Spoilation of Evidence and medical Claims on multiple date Such as August 31 2020 August 29 2020 July 29 2020, November 28 2020 November 29 2020, July 24 2021 and multiple other dates that can be Exposed on discovery. There is a long standing policy to alter D.O.C GenTee video John Doe President or CEO'S, Whom allow D.O.C To Alter the Videos as stated in ALI v. Palmer, ALI v. SULLA, ALI v. New York City
- (7) of 737.

EXHIBIT A

**Video Request Task Form**

UOF # 2475/21

NON-UOF #

Current Date: April 17, 2021

COD #

ID #

**GENETEC VIDEO**

Requestor: J. Cooper

Facility: GRVC

Date: 4/15/21

Camera IP	Location	From Hour	To Hour	Comments
11.83	GRVC 5A FRONT HSE	1800	1900	
11.88	GRVC 5A MAG	1800	1900	
11.71	GRVC 5A LFT LOW FRONT1	1800	1900	
11.68	GRVC 5A RT LOW FRONT2	1800	1900	
11.67	GRVC 5A RT LOW FRONT1	1800	1900	
11.70	GRVC 5A RT LOW REAR2	1800	1900	
11.74	GRVC 5A LFT LOW REAR2	1800	1900	
11.69	GRVC 5A RT LOW REAR1	1800	1900	
10.40	GRVC BLDG 5A	1800	1900	
10.42	GRVC BLDG 5B	1800	1900	
77.179	GRVC BLDG3-5 CORR1	1800	1900	
77.180	GRVC BLDG3-5 CORR2	1800	1900	

**HANDHELD VIDEO**

File Name	Facility Folder	Sub-folder
GR04152115005ADAUOF1914a.MTS	Probe Response	April 2021
GR04152115005ADAUOF1914b.MTS	Probe Response	April 2021
GR04152115005ADAUOF1914c.MTS	Probe Response	April 2021

**ID BODY CAMERA VIDEO**

User ID	Source	Recorded Date & Time	UOF#/COD#/NON-UOF#
N/A			

**FACILITY BODY CAMERA VIDEO**

User ID	Source	Recorded Date & Time	UOF#/COD#
GRVC-MAINYARD-2	P11628	4/15/2021 7:32:42 PM	U2475/21
GRVC-REC-OFICR-B	P14286	4/15/2021 7:31:53 PM	U2475/21
GRVC-REC-OFICR-B	P14286	4/15/2021 7:28:09 PM	U2475/21
GRVC-REC-OFICR-B	P14286	4/15/2021 7:24:40 PM	U2475/21
GRVC-REC-	P14286	4/15/2021 7:20:58 PM	U2475/21

Total DVDs Burned: \_\_\_\_\_

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DEF055

EXHIBIT B.

## NEW YORK CITY DEPARTMENT

## INVESTIGATION

## INMATE VOLUNTARY

Date: May 8 2021 Time Int:Location of Interview (Facility/Area): Q66Inmate Name: UMAR ALIInmate Book and Case Number: 210 19 8110Inmate DOB: 12 17 91 Inmate Cell Assignment:

I hereby acknowledge that I made the following statement to the New York City Department of Correction Investigation Division voluntarily and of my own free will without promise or hope of reward and that no one has threatened me in any way to provide this statement.

In accordance with Departmental Directive 501 (Elimination of Sexual Abuse and Sexual Harassment), you will not be subject to any form of retaliation for providing information in connection with this investigation by the New York City Department of Correction.

I made this statement to Investigator Checo Field # 930, and Investigator Saldarriaga Shield # 880.

In retaliation from a use of force on May 7, 2021 I was sent to GRUC. My first house was SA I entered at 8:30 PM with large bags. After I was jumped the Correctional Officers allowed my property to be stolen. I was then transferred to an SRG Latin King house. Upon entry I was subjected to a use of force in which I was assaulted physically and sexually and cut/slashed by the Probation team then they pointed a weapon on me. After the use of force I was rolled to the vestibule and taken by the assailants also given death threats and ridiculed about being cut on the left side of my face at my ear level. Instead of being escorted to medical I was rolled back into the house 5 minutes later and sexual assaulted inside 22 Cell of 7A. And not given medical attention. I was then placed on dead lock in which the refused me to exit my cell or afforded services for eight (8) days. I was then taken to 9B and endured the same dead lock procedure for 5 five days, all without showers recreation, medical and or adequate food for religious belief. As of today officer Bordeaux on May 8 2021 continued to have his hands in his pants while in a threatening stance as if he had a weapon or was playing with his genitals. He then began to follow me around the house every time I was in my cell. I am authentic my claims along with the CCTV footage.

Inmate Signature: [Signature]  
Investigator Witness: [Signature]  
Investigator Witness: [Signature]

Date: 5-8-21 Time: 3:44  
Date: 5-8-21 Time: 1331  
Date: 5-8-21 Time: 1331

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**INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Plaintiff suffered Mentally and Physically. Ranging from added depression and triggers to other mental health disorders. Plaintiff was inflicted damage to back, wrists, arms and laceration to face. Plaintiff also had pains to neck legs and ankles. Plaintiff was ultimately denied medical attention in response to the second April 15 2021 Use of force and each fire that erupted in Cell on April 23 2021 May 12 2021 and other dates. John Doe doctor denied medical treatment and falsified medical records. In violation of the nurse agreement, and facial scar/mark to left ear.

**VI. RELIEF**

State briefly what money damages or other relief you want the court to order.

Each defendant is sued in their individual and Official Capacity. Mr. AUI seeks Judgment awarding damages for each asserted claim and for each claimed injury. Any defendant who fails to plead and/or respond has to pay a fee in the event of entry of default and/or default judgment of Two Hundred thousand. Plaintiff also request Punitive damages for mental and emotional injury, Compensatory damages for deprivation of each Protected Constitutional right or statute, Compensatory damages for mental and emotional injury. Plaintiff seeks punitive damages for each Protected Constitutional right or statute that any defendant violated with malicious conduct or intent. And punitive and Compensatory damages and money damages for sustained Physical Injuries.

Total Requested 3 Million Dollars.



**VII. PLAINTIFF'S CERTIFICATION AND WARNINGS**


By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

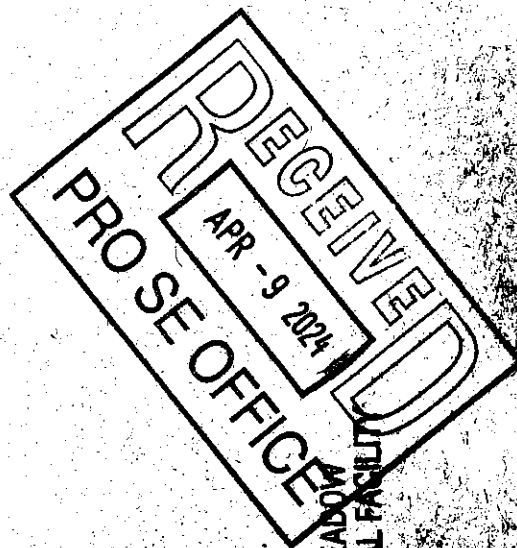
I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>MARCH 21 2024</u>		<u></u>
Dated		Plaintiff's Signature
<u>UMAR</u>		<u>ALI</u>
First Name	Middle Initial	Last Name
<u>GREAT MEADOW Correctional Facility P.O. Box 51, Comstock Ny 12821</u>		
Prison Address		
<u>Comstock</u>	<u>NEW YORK</u>	<u>12821</u>
County, City	State	Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: MARCH 21 2024

LEGAL MAIL



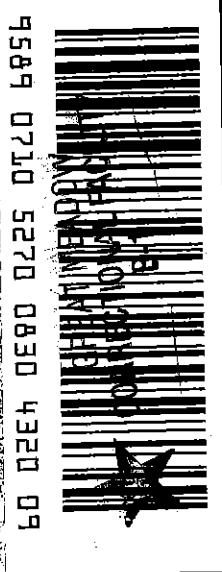
GREAT MEADOW  
CORRECTIONAL FACILITY  
B-1



PRO SE CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
500 PEARL STREET  
NEW YORK NEW YORK 10007

SDNY  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



CERTIFIED MAIL

GREAT MEADOW  
CORRECTIONAL FACILITY  
B-1

